THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26618 of 2005

Dated 14th December 2005

Between:

A.Moinuddin S/o.Fakruddin

…Petitioner

and

The Regional Manager, APSRTC,

Warangal Region, Warangal District.

…Respondents

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O R D E R:

The petitioner was employed as Helper in APSRTC, on 16.12.1968. He was removed from service on 14.7.1987, on disciplinary grounds. After exhausting the departmental remedies, the petitioner raised an industrial dispute before the Labour Court, Warangal, and it was taken up as I.D.No.19 of 1988. Through its award, dated 23.12.1999, the Labour Court directed reinstatement of the petitioner, and granted the relief of continuity of service and back wages. The petitioner had since retired from service on 31.7.2005.

The grievance of the petitioner is that though the Labour Court granted the benefit of continuity of service and back wages, the respondents did not pay any amount, so far.

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondents.

The petitioner came to be reinstated into service, in pursuance of the award passed by the Labour Court in
I.D.No.19 of 1988. In addition to directing reinstatement of the petitioner, the Labour Court granted the relief of continuity of service and payment of back wages. The petitioner states that the award of the Labour Court was not implemented, except for reinstatement. If that be so, he has to approach the Labour Court, by filing an application under Section 33-C (2) of the Industrial Disputes Act. In such proceedings, the necessary calculation can be undertaken and relief also can be granted.

Hence, the writ petition is disposed of, leaving it open to the petitioner, to avail the remedy of filing an application, under Section 33-C (2) of the Industrial Disputes Act. As and when such application is filed, the Labour Court shall dispose of the same, at the earliest possible time, since the petitioner is out of service. There shall be no order as to costs.

14th December 2005

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